IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.23305 of 2015

M.Vasanthi

... Petitioner

-Versus-

1.The Principal Secretary,
Education Department,
Fort St. George,
Chennai 600 009.

2.The Director of Elementary Education,
Nungambakkam,
Chennai 600 006.

3.The District Elementary Educational Officer,
O/o. The District Elementary Education Office,
Neela South Street,
Nagapattinam.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 27.02.2015 in the light of G.O.Ms.(3D) No.78, School Education (G2) Department, dated 25.05.2012 and G.O.Ms.(3D) No.4, School Education Department, dated 21.01.2015 and to pass an order within a time frame to be stipulated by this court.

For petitioner : Mr.V.Subramanian

For respondents : Mr.K.V.Dhanapalan, AGP

WEB COPY

ORDER

The petitioner claims to be a Diploma Holder in Teacher Education. She enrolled her name in the District Employment Office at Nagapattinam on 01.12.2003. In the year 2004, at the request of the 3rd respondent, she was sponsored to the post of Secondary Grade Teacher on a temporary basis on consolidate pay. After certificate verification, she was appointed as such on 01.10.2004 and she joined the service on 07.10.2004 at Vangirikuppam Panchayat Union Middle School, Sirkali Union, Nagapattinam District. While so, there had been persistent demand from the teachers who have been working on consolidated pay for regularisation of their services.

https://hcservices.ecourts.gov.in/hcservices/

2. Acceding to the request of such teachers, according to the petitioner, the Government Passed an order in G.O.Ms.No.99, School Education Department, dated 27.06.2006 and pursuant to the same, the services of the petitioner and other similarly placed persons were regularised and her service was regularised on 01.06.2006 and she was put on regular scale of pay.

3. While so, the teachers, who have been appointed on consolidate pay like the petitioner from Karur District filed a writ petition in W.P.No.30734 of 2008 and W.P.No.879 of 2006 seeking for regularisation of their services from the date of their appointment as Secondary Grade Teachers. This court, by order dated 27.11.2009, allowed the said writ petitions.

4. In yet another writ petition in W.P.(MD) No.2501 of 2014 filed by the similarly placed teachers from Karur, Thirupur, Namakkal, Erode and Trichy Districts, the Madurai Bench of this Court, by order dated 22.10.2013, while disposing of the writ petition directed the authority concerned to consider the representations of the petitioners therein in the light of G.O.Ms. (3D) No.78, School Education (G2) Department dated 25.05.2012. Accordingly, the Government issued G.O.Ms.(3D) No.4, School Education Department, dated 21.01.2015 regularising the services of the similarly placed persons from the date of their appointment.

5. According to the petitioner, she is also entitled for the benefits extended in G.O.Ms.(3D) No.78, School Education (G2) Department dated 25.05.2012 and G.O.Ms.(3D) No.4, School Education Department, dated 21.01.2015. Now, the grievance of the petitioner is that though she made a representation in this regard on 27.01.2015 followed by yet another representation on 27.02.2015 to the 3rd respondent, there was no response. Hence, she has no other option except to approach this court by way of this writ petition appropriate relief.

6. Heard both sides and also perused the records carefully.

7. Considering the limited scope of the prayer sought for in the writ petition and also the facts and circumstances of the case, without going into the merits of the case, this court directs the 3rd respondent to consider the representation of the petitioner dated 27.02.2015 on merits and in accordance with law and pass appropriate orders thereon in the light of the Government Orders referred to above within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

kmk

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

To

1.The Principal Secretary, Education Department, Fort St. George, Chennai 600 009.
2.The Director of Elementary Education, Nungambakkam, Chennai 600 006.
3.The District Elementary Educational Officer, O/o. The District Elementary Education Office,Neela South Street, Nagapattinam.

+1 cc to The Government Pleader, sr.39799
+1 cc to Mr.V.Subramanian, Advocate, sr.39598

W.P.No.23305 of 2015

ksj(co)
kra(28/08)

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/